

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION

CYNTHIA K. HAYNES)
(A/K/A CYNTHIA RANDOLPH),)
INDIVIDUALLY AND UNDER THE MO)
WRONGFUL DEATH STATUTE,)
PLAINTIFF,)
VS.) CAUSE NO. 1:21-CV-00160-ACL
JENNIFER WILLIAMS, INDIVIDUALLY,)
JENNIFER WILLIAMS, D/B/A WILLIAMS)
LAW, SPAIN, MILLIER, GALLOWAY & LEE,)
LLC, A MISSOURI LIMITED LIABILITY)
COMPANY, BERNICE HAYNES,)
INDIVIDUALLY, AND CHARLES HAYNES,)
INDIVIDUALLY,)
DEFENDANTS.)

MOTION TO QUASH AND OBJECTIONS TO
SUBPOENA TO APPEAR AND
SUBPOENA DUCES TECUM

COMES NOW, Judy Moss as Custodian of Records of CASA Butler County, Missouri, by and through her counsel, Ressie L. Thomas, and pursuant to FRCP 45, does hereby object to the production, inspection or copying of any materials designated in the subpoena served upon Judy Moss, further objects to her appearance for deposition as custodian of these records, and moves the Court to quash the subpoena issued herein and for the following reasons:

1. The directive to appear at the deposition herein and to bring with her "all documents and records and recordings concerning of relating to or mentioning Mikaela Haynes and/or Sara Haynes and any involvement of CASA with any DFS or court proceedings regarding either or both of them."
2. The subpoena duces tecum specifically requests the production of documents that are considered part of the confidential court file in juvenile judicial proceedings under both

RSMo. §211.319(3) and the Missouri Supreme Court Rules of Practice and Procedure §122.02(b) and 122.02(c).

3. Pursuant to said Missouri Statute and the Rules of Practice, Judy Moss as Custodian of Records is not permitted or able to relinquish any of the records from that case without an order of the Juvenile Court and the documents should be requested from and released directly by the court, not from a custodian of records for a nonparty to the juvenile case.
4. There is no proof nor indication herein that the witness is legally entitled to obtain and remove, or are otherwise the custodian(s) of the described records.
5. CASA representatives are sworn to confidentiality as officers of the Court and are not permitted to disclose information related the confidential court file without an order from the Juvenile Court.

WHEREFORE, for the foregoing reasons, the commandment of the subpoena to appear and produce documents should be quashed.

Respectfully Submitted,
POPLAR BLUFF LAW, LLC
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ATTORNEY FOR CASA

CERTIFICATE OF ELECTRONIC FILING

The undersigned attorney verifies that the original of the above-referenced filing was signed by her.

/s/Ressie L. Thomas

CERTIFICATE OF SERVICE

The undersigned certifies that a complete copy of the foregoing instrument was filed electronically with the Clerk of the Court on September 29, 2022, to be served by operation of the Court's electronic filing system upon the parties of record.

/s/Ressie L. Thomas

